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ABBOTT PARK IL 60064-6008

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OFFICE OF PETITIONS

In re Application of :
Michael R. Schrimpf et al. :
Application No. 10/772,192 :
Filed: February 4, 2004 :
Attorney Docket No. 7271US01 :

ON PETITION

The above-identified application has been referred to the Office of Petitions for consideration of a communication filed October 22, 2007.

A review of the record indicates that the application was held abandoned for failure to timely respond to the Restriction Requirement mailed December 26, 2006, which set a shortened statutory period for reply of one (1) month or thirty (30) days (whichever is later). A Notice of Abandonment was mailed on July 19, 2007. In response, on August 3, 2007, a Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) was filed. Thereafter, on October 22, 2007, the present communication was filed.

For reasons noted in the communication of October 22, 2007, applicant requests that the petition to revive under 37 CFR 1.137(b) filed August 3, 2007 be withdrawn and that the petition fee paid therefor be refunded.

Since the present request was filed before any consideration of the petition under 37 CFR 1.137(b) filed October 22, 2007, the request is **GRANTED**.

In view of the October 22, 2007 request, the petition under 37 CFR 1.137(b) is **DISMISSED**. The \$1,500 petition fee will be refunded to applicant's deposit account.

Any questions concerning this matter may be directed to Terri Williams at (571) 272-2991.

Liana Walsh
Petitions Examiner
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Schrimpf, Michael R.; Sippy, Kevin B.; Ji, Jianguo; Li, Tao; Frost, Jennifer M.; and Briggs, Clark A.

Application No.: 10/772,192

Group No.: 1617

Filed: February 4, 2004

Examiner: Carlic K. Huynh

For: AMINO-SUBSTITUTED TRICYCLIC DERIVATIVES AND METHODS OF USE

Mail Stop Petition**Commissioner for Patents****P.O. Box 1450****Alexandria, VA 22313-1450**

**PETITION FOR WITHDRAWAL OF PETITION FOR REVIVAL OF AN
APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER
37 C.F.R. § 1.137(b)**

Dear Sir:

This application became abandoned on January 26, 2007. Applicants filed a petition to revive the application on August 3, 2007 along with a Request for Continued Examination.

Applicants respectfully request withdrawal of the above-mentioned request for revival of unintentionally abandoned application and refund of the fee \$1,500.00 paid.

The Commissioner is hereby authorized to charge additional Filing Fees required under 37 CFR 1.16, as well as any patent application processing fees under 37 CFR 1.17 associated with this communication for which full payment has not been tendered to Deposit Account No. 01-0025.

23492

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Facsimile: (847) 938-2623

Adjustment date: 05/06/2008 CKHLOK
08/06/2007 INTEFSW 00002628 010025 10772192
01 FC:1453 1500.00 CR

Respectfully submitted,
Michael R. Schrimpf, et al.



Sreenivasarao/Vepachedu
Registration No. 46,395
Attorney for Applicants

Certificate of Mailing Under 37 C.F.R. § 1.8

I hereby certify that this correspondence is being electronically transmitted, facsimile transmitted or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop Petition, P.O. Box 1450, Alexandria, VA 22313-1450 on October 22, 2007.

By: _____ /Wanda E. Smith/

Name: Wanda E. Smith

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND			
1 Date of Request:	04/22/08	2 Serial/Patent #	10/772,192
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED
<input type="checkbox"/> Filing			\$
<input type="checkbox"/> Amendment			\$
<input type="checkbox"/> Extension of Time			\$
<input type="checkbox"/> Notice of Appeal/Appeal			\$
<input checked="" type="checkbox"/> Petition		10/22/07	\$ 1,500.00
<input type="checkbox"/> Issue			\$
<input type="checkbox"/> Cert of Correction/Terminal Disc.			\$
<input type="checkbox"/> Maintenance			\$
<input type="checkbox"/> Assignment			\$
<input type="checkbox"/> Other			\$
		7 TOTAL AMOUNT OF REFUND	\$ 1,500.00
8 TO BE REFUNDED BY:			
<input type="checkbox"/> Overpayment		Treasury Check	
<input type="checkbox"/> Duplicate Payment		<input checked="" type="checkbox"/> Credit Deposit A/C #:	
<input checked="" type="checkbox"/> No Fee Due (Explanation):		9 0 1 -- 0 0 2 5	
Petition was withdrawn.			
11 REFUND REQUESTED BY:			
TYPED/PRINTED NAME:		Terri Williams	
TITLE:		Paralegal Specialist	
SIGNATURE:		PHONE: (571) 272-2991	
OFFICE:		Office of Petitions	
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APPROVED:		DATE: 5/6/08	

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

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